

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**October 10, 2007**

## DIVISION TWO

B189819 Thompson Pacific Construction (Not for Publication)  
v.  
Franklin Refinforcing Steel Co.

The April 15, 2005, and May 16, 2005, orders imposing monetary sanctions against Thompson and its counsel and dismissing Thompson's complaint are reversed. The judgment for Franklin is reversed. The matter is remanded for a new trial. Thompson is entitled to costs on appeal.

Ashmann-Gerst, J.

I concur: Chavez, J.  
I dissent: Doi Todd, Acting P.J. (opinion)

B188780 Purnell (Not for Publication)  
v.  
Cedars-Sinai Medical Center et al.

The judgment is affirmed.

Boren, P.J.

We concur:   Doi Todd, J.  
                   Ashmann-Gerst, J.

DIVISION THREE

Court convened at 9:30 a.m.

Present: Croskey, Acting P.J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

B193384 Hill v. Cardoso

Argument waived, cause submitted.

B194458 Huang, et al.  
v.  
Nguyen, et al.

Merits:

Argued by Joel R. Bander for appellants and by James K. Sweeney for respondents. Cause submitted.

B190479 Sheller  
v.  
Farmers New World Life Insurance Company, et al.

Merits:

Argued by Robert S. Gertstein for appellant and by Peter Mason for respondents. Cause submitted.

B192833 Abraha  
v.  
Kim

Merits:

Argued by Eden Noe for appellant and by Michael Akopyan for respondent. Cause submitted.

DIVISION THREE (continued)

B189275     Lindstrom  
              v.  
              Hunt Enterprises, Inc., et al.

Merits:  
Argued by James Otto for appellants and by Michael Bowse for  
respondents. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.

Present: Croskey, Acting P.J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

Each of the following:

B197653 Children and Family Services v. Diamond R., et al.  
B197010 Children and Family Services v. Steven G.  
B194411 People v. Ozuna

Argument waived, cause submitted.

B191950     Rosenberg  
              v.  
              Hillshafter, et al.

Merits:  
Argued by Roger Manlin for appellant and by James Hepworth for  
respondents. Cause submitted.

DIVISION THREE (continued)

B185818     Foerster  
              v.  
              Bohbot, et al.

Merits:

Argued by Mark Hurwitz and Tom Lallas for appellants and by David Relsenthal for respondent. Cause submitted.

B165756     Alan  
              v.  
              American Honda Motor Corporation, Inc.

Merits:

Argued by John Schlaff for appellant and by Carol Boyd for respondent. Cause submitted.

B192216     American Casualty Co. of Reading, PA.  
              v.  
              Miller, et al.

Merits:

Argued by Douglas Caiafa for appellants and by Cynthia L. Keener for respondent. Supplemental letter brief due by the respondent on October 16, 2007, reply due by the appellant on October 23, 2007. Submission deferred.

Court adjourned.

DIVISION FOUR

B198039 People (Not for Publication)  
v.  
Gretzinger

The judgment is affirmed.

Willhite, J.

We concur: Epstein, P.J.  
Manella, J.

B171776      People                          (Not for Publication)  
v.  
Matamoros

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The judgment is affirmed.

Willhite, J.

We concur: Epstein, P.J.  
Manella, J.

B193674 People  
v.  
Komasn S.

Filed order denying petition for rehearing.

DIVISION FIVE

B195049     Katrina Lyons            (Not for Publication)  
                 v.  
                 Zephran Hamlin

The judgment is affirmed. Respondent(s) to recover costs.

Armstrong, J.

We concur:   Turner, P.J.  
                 Kriegler, J.

B194515     Av Light  
                 v.  
                 Garibay

Filed order vacating submission order of 10-3-07. Court grants appellant's request to reschedule oral argument. Cause to be submitted 11-7-07.

B194307     Suzan Hughes  
                 v.  
                 Christopher Pair

Filed order modifying opinion. (No change in the judgment)

B192064     People  
                 v.  
                 Andrew Arrue

Filed order granting rehearing on court's own motion.

DIVISION SIX

Court convened at 9:00 a.m.

Present: Yegan, Acting P.J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

B191699      Sarkisian  
                 v.  
                 Sayre

Merits:

Argued by James E. Prosser for appellants Sarkisian, et al.; by Eric C. Kitchen for appellants Sayre, et al.; by David J. Wilson for appellants DMR, et al.; and by Herb Fox for respondents Wheatly, et al.. Cause submitted.

B195408      Ventura Co. Public Health Officer  
                 v.  
                 Adalberto M.

Merits:

Argued by Michael C. McMahon, Chief Deputy Public Defender, for appellant and by John E. Polich, Assistant County Counsel, for respondent. Cause submitted.

Court recessed.

Court reconvened .at 11:15 a.m.

Present: Yegan, Acting P.J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

DIVISION SIX (continued)

B195886      Webb  
                 v.  
                 San Luis Obispo Community College Dist.

Merits:

Argued by Daniel O'Neill for appellant and by Gregg A. Coates for respondent Schools Insurance Program for Employees. Peter Charles Flanderka appeared for respondent San Luis Obispo Community College District and submitted on the briefs. Cause submitted.

B195938      Richardson-Tunnell  
                 v.  
                 Schools Insurance Program for Employees

Merits:

Argued by Daniel O'Neill for appellant and by Greg A. Coats for respondents. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.

Present: Gilbert, P.J., Yegan, J., Perren, J. and G. Bents, Senior Deputy Clerk.

Each of the following:

B194658 Papich v. Papich  
B196203 Child Protective Services v. Gloria Y.

Argument waived, cause submitted.



DIVISION SIX (continued)

B195375     Tacker  
              v.  
              Central Coast Regional Water Quality

Merits:

Argued by Amy Eileen Morgan for appellants and by William Stanley Abbey, Deputy Attorney General, for respondents. Cause submitted.

B194395     Van Winkle  
              v.  
              County of Ventura

Merits:

Argued by Thomas W. Temple, Assistant County Counsel, for appellant/cross-respondent and by Stuart Douglas Adams for respondent/cross-appellant. Cause submitted.

Court recessed.

Court reconvened at 2:35 p.m.

Present: Gilbert, P.J., Yegan, J., Perren, J. and G. Bents, Senior Deputy Clerk.

B201692     Fiene  
              v.  
              McKenzie

Supersedeas:

Presented by Herb Fox for appellant and by Gregory Thomas May for respondent. Cause submitted.

Court adjourned.

DIVISION SIX (continued)

B199500      In re Damian Pacheco                      (Certified for Publication)  
                 On  
                 Habeas Corpus

Having served its purpose, the order to show cause is discharged and the relief sought in the petition for a writ of habeas corpus is denied.

Perren, J.

We concur:   Gilbert, P.J.  
                 Yegan, J.

DIVISION SEVEN

B192611      People                                      (Not for Publication)  
                 v.  
                 Yagle

The matter is remanded to the trial court for a limited resentencing pertaining to custody credits and financial obligations only. The trial court is directed to award Yagle 417 days of presentence custody credit, and also to determine and impose appropriate financial obligations in light of the present conviction. The clerk of the superior court is then directed to prepare a corrected abstract of judgment and to forward a certified copy of the abstract of judgment to the Department of Corrections. In all other respects, the judgment is affirmed.

Zelon, J.

We concur:   Perluss, P.J.  
                 Woods, J.

DIVISION SEVEN (continued)

B194667      Los Angeles County, D.C.S.      (Not for Publication)  
B197407      v.  
                E.R.,

The judgment is affirmed.

Zelon, J.

We concur:    Perluss, P.J.  
                     Woods, J.

B195237      Feldman      (Not for Publication)  
                v.  
                Campbell

The judgment and the post-judgment orders denying Feldman's Motion to Tax Costs and granting Campbell's Motion to Tax Costs are affirmed. Campbell is awarded her costs on appeal.

Zelon, J.

We concur:    Perluss, P.J.  
                     Woods, J.

B193629      Parsa      (Not for Publication)  
                v.  
                Caplan et al.,

The order granting summary judgment is affirmed. Caplan is awarded his costs on appeal.

Zelon, J.

We concur:    Perluss, P.J.  
                     Woods, J.

## DIVISION SEVEN (continued)

B189817      Sancho                                  (Not for Publication)  
v.  
Ramirez et al.,

The judgment is affirmed. Respondent(s) to recover costs.

Zelon, J.

We concur: Perluss, P.J.  
Woods, J.

B200247 Trishelle S., (Not for Publication)  
v.  
Superior Court, Los Angeles County

The petition is denied on the merits.

Zelon, J.

We concur: Perluss, P.J.  
Woods, J.

B188818 People (Not for Publication)  
v.  
Plantillas

The judgment is affirmed.

Perluss, P.J.

We concur:   Johnson, J.  
                          Zelon, J.

## DIVISION SEVEN (continued)

[illegible]

The concurrent term imposed on count 6 is stayed. This matter is remanded to the trial court with directions to prepare a new abstract of judgment indicating that this sentence is stayed and to forward the amended abstract to the Department of Corrections and Rehabilitation. In all other respects, the judgment is affirmed.

Woods, J.

We concur: Perluss, P.J.  
Johnson, J.

B197802 People (Not for Publication)  
v.  
Jennings

The judgment is affirmed.

Woods, J.

We concur: Perluss, P.J.  
Zelon, J.

B190449 People (Not for Publication)  
v.  
Loftin

The judgment is affirmed.

Woods, J.

We concur: Perluss, P.J.  
Zelon, J.

DIVISION SEVEN (continued)

[illegible]

The judgment is affirmed. The superior court is directed to correct the abstract of judgment to show that appellant is entitled to 79 days of pre-sentence conduct credits in addition to the 531 days of actual in custody credit he was granted. The superior court is to forward a corrected copy of the abstract to the Department of Corrections and Rehabilitation.

Woods, J.

We concur: Perluss, P.J.  
Zelon, J.

B199415 Chase M., (Not for Publication)  
v.  
Superior Court, Los Angeles County

The petition is denied.

Woods, J.

We concur: Perluss, P.J.  
Zelon, J.

B192859      Cohen      (Not for Publication)  
v.  
Bank Leumi Le-Israel

The judgment is affirmed. Respondent(s) to recover costs.

Woods, J.

We concur: Perluss, P.J.  
Johnson, J.

DIVISION SEVEN (continued)

B188400      Solar Turbines Inc.,                      (Not for Publication)  
                 v.  
                 Brush HMA

The judgment is affirmed. Each party to bear their own costs.

Woods, J.

We concur:    Perluss, P.J.  
                     Zelon, J

B190463      People    (Certified for Publication)  
                 v.  
                 Cardenas

The conviction is affirmed. The sentence is vacated and the cause remanded to the trial court with directions to conduct a new sentencing hearing and sentence Cardenas in accordance with law.

Johnson, J.

We concur:    Perluss, P.J.  
                     Zelon, J.

B194503      People    (Not for Publication)  
                 v.  
                 Rosenfeld

The judgment is affirmed.

Perluss, P.J.

We concur:    Woods, J.  
                     Zelon, J.

DIVISION SEVEN (continued)

B193235     Lincoln Place Tenants  
              v.  
              City of Los Angeles et al.,

Filed order modifying opinion. Petition for rehearing and request for  
judicial notice are denied. (No change in the judgment)

B187599     People  
              v.  
              Brown

Filed order submitting matter pursuant to California Rules of Court, rule  
8.256(d) (2).